

REMARKS

Applicants have canceled claims 1-3, 14-22, and 122-136 without prejudice to introduction in a subsequent application or reintroduction in the present application. Applicants have added new claims 137-153. Support for new claims 137-153 can be found in the specification of the published application (US Patent Application Publication No. 2002/0129004 A1) in paragraphs [0008], [0010], [0013], [0019], [0073], [0074], [0098]-[0100], [0147]-[0175] as well as elsewhere throughout the specification. Additional support can be found in Figures 1, 2, 3C-3J, and 7C-7G. As a result, claims 137-153 are pending in the application.

Claims 1-3 were provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-38 of copending Application No. 09/805,261. Claims 1-3 and 131-136 were rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. Claims 1-3, 14-22, and 122-136 were rejected under 35 U.S.C. §112, first paragraph for failing to comply with the enablement requirement. Claims 14-19, 123-126, and 129 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Claims 1-3 were rejected under 35 U.S.C. §102(e) as being anticipated by United States Patent Application Publication No. 2001/0037255 to Tambay et al. (hereinafter “Tambay”). Claim 1 was rejected under 35 U.S.C. §102(e) as being anticipated by United States Patent No. 6,304,869 to Moore et al. (hereinafter “Moore”). Claims 1-3 were rejected under 35 U.S.C. § 102(e) as being anticipated by United States Patent Application Publication No. 2002/0082753 to Guskov et al. (hereinafter “Guskov”). Claims 1-3, 14-22, and 122-136 were rejected under 35 U.S.C. § 103(a) as being unpatentable over United States Patent Application Publication No. 2003/0139516 to Quinn et al. (hereinafter “Quinn”) in view of United States Patent Application Publication No. 2002/0078103 to Gorman et al. (hereinafter “Gorman”). Claims 1-3, 14-22, and 122-136 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Quinn in view of Tambay.

Claims 1-3 and Provisional Double Patenting

Claims 1-3 were provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-38 of copending Application No. 09/805,261. Applicants have canceled claims 1-3 without prejudice to introduction in a subsequent application or reintroduction in the present application. Further, Application No. 09/805,261 has gone abandoned rendering the rejection moot.

Claims 1-3 and 131-136 and 35 U.S.C. § 112, First Paragraph

Claims 1-3 and 131-136 were rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. Applicants have cancelled claims 1-3 and 131-136 without prejudice to introduction in a subsequent application or reintroduction in the present application. The cancellation of claims 1-3 and 131-136 renders the present rejection moot.

Claims 1-3, 14-22, and 122-136 and 35 U.S.C. § 112, First Paragraph

Claims 1-3, 14-22, and 122-136 were rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement. Applicants have cancelled claims 1-3, 14-22, and 122-126 without prejudice to introduction in a subsequent application or reintroduction in the present application. The cancellation of claims 1-3, 14-22, and 122-136 renders the present rejection moot.

Claims 14-19, 123-126, and 129 and 35 U.S.C. § 112, Second Paragraph

Claims 14-19, 123-126, and 129 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Applicants have cancelled claims 14-19, 123-126, and 129 without prejudice to introduction in a subsequent application or reintroduction in the present application. The cancellation of claims 14-19, 123-126, and 129 renders the present rejection moot.

Claims 1-3 and 35 U.S.C. § 102(e)

Claims 1-3 were rejected under 35 U.S.C. § 102(e) as being anticipated by Tambay. Applicants have canceled claims 1-3 without prejudice to introduction in a subsequent application or reintroduction in the present application. The cancellation of claims 1-3 renders the present rejection moot.

Claim 1 and 35 U.S.C. § 102(e)

Claim 1 was rejected under 35 U.S.C. § 102(e) as being anticipated by Moore. Applicants have cancelled claim 1 without prejudice to introduction in a subsequent application or reintroduction in the present application. The cancellation of claim 1 renders the present rejection moot.

Claims 1-3 and 35 U.S.C. § 102(e)

Claims 1-3 were rejected under 35 U.S.C. § 102(e) as being anticipated by Guskov. Applicants have canceled claims 1-3 without prejudice to introduction in a subsequent application or reintroduction in the present application. The cancellation of claims 1-3 renders the present rejection moot.

Claims 1-3, 14-22, and 122-136 and 35 U.S.C. § 103(a)

Claims 1-3, 14-22, and 122-136 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Quinn in view of Gorman. Applicants have canceled claims 1-3, 14-22, and 122-136 without prejudice to introduction in a subsequent application or reintroduction in the present application. The cancellation of claims 1-3, 14-22, and 122-136 renders the present rejection moot.

Claims 1-3, 14-22, and 122-136 and 35 U.S.C. § 103(a)

Claims 1-3, 14-22, and 122-136 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Quinn in view of Tambay. Applicants have canceled claims 1-3, 14-22, and 122-136 without prejudice to introduction in a subsequent application or reintroduction in the present application. The cancellation of claims 1-3, 14-22, and 122-136 renders the present rejection moot.

New Claims 137-153

Applicants have added new claims 137-153. Support for new claims 137-153 is provided above. Applicants respectfully assert that new claims 137-153 are patentable over the cited prior art and the prior art of record in the application.

Tambay does not describe or teach a server comprising a plurality of wizards wherein each wizard provides a user interface presenting component selection options for a chemical composition and provides properties of the chemical composition based on the component options selected. The product formulators disclosed in Tambay only provide product ingredient formulations “according to generally accepted industry and product-specific standards.”¹ The product formulators do not contemplate and are not operable to provide properties of a chemical composition based on component selection options made by a system user.

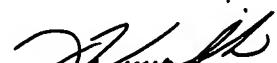
Moreover, Quinn, Gorman, Moore, and Guskov do not cure the deficiencies of Tambay as all of these references fail to contemplate a server comprising a plurality of wizards wherein each wizard provides a user interface presenting component selection options for a chemical composition and provides properties of the chemical composition based on the component options selected.

CONCLUSION

In view of the foregoing remarks, an allowance of the claims is respectfully solicited. The Examiner is respectfully invited to contact J. Clinton Wimbish at 336.607.7399 to discuss any matter related to the present application.

Respectfully submitted,

3/9/06
Date


J. Clinton Wimbish
Reg. No. 54,545

Kilpatrick Stockton LLP
1001 West Fourth Street
Winston-Salem, NC 27101

¹ Tambay, paragraph [0119].